

ARTICLE 10. CONTENTS OF WRITINGS, RECORDINGS, AND PHOTOGRAPHS

Rule 1001. Definitions That Apply to This Article.

In this article:

(a) A “writing” consists of letters, words, numbers, or their equivalent set down in any form.

(b) A “recording” consists of letters, words, numbers, or their equivalent recorded in any manner.

(c) A “photograph” means a photographic image or its equivalent stored in any form.

(d) An “original” of a writing or recording means the writing or recording itself or any counterpart intended to have the same effect by the person who executed or issued it. For electronically stored information, “original” means any printout—or other output readable by sight—if it accurately reflects the information. An “original” of a photograph includes the negative or a print from it.

(e) A “duplicate” means a counterpart produced by a mechanical, photographic, chemical, electronic, or other equivalent process or technique that accurately reproduces the original.

Comment to 2012 Amendment

The language of Rule 1001 has been amended to conform to the federal restyling of the Evidence Rules to make them more easily understood and to make style and terminology consistent throughout the rules. These changes are intended to be stylistic only. There is no intent to change any result in any ruling on evidence admissibility.

Paragraph (1) — Writings and recordings.

1001.a.010 A “writing” consists of letters, words, numbers, or their equivalent set down in any form, which includes handwritten documents.

* *Henricks v. Arizona DES*, 229 Ariz. 47, 270 P.3d 874, ¶¶ 20–21 (Ct. App. 2012) (court held ALJ could properly consider handwritten documents at administrative hearing).

Paragraph (2) — Photographs.

No Arizona cases.

Paragraph (3) — Original.

1001.3.010 Any printout or other output readable by sight, shown to reflect accurately the data stored in a computer or similar device, is an original.

State v. Irving, 165 Ariz. 219, 797 P.2d 1237 (Ct. App. 1990) (because statute required custodian of records to certify that computer printout was true reproduction of motor vehicle records contained in computer, printout was an original).

Paragraph (4) — Duplicate.

No Arizona cases.

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